CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

MARCH 6, 2007

INVOCATION:
Assistant City Manager Haydon gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Police Chief Macagni, Director of Community Development Lindsey, Director of Administrative Services Snodgrass, Fire Battalion Chief Jones, Director of Utilities Sweet, Director of Public Works/City Engineer Whitehead, Director of Recreation and Parks Posada, and Chief Deputy City Clerk Perez.

COMMENDATION FOR WILLIE GREEN
Councilmember Trujillo read a resolution commending and honoring Willie Green for six years of devoted service to the City and the community as a member of the Block Grants Advisory Committee.

Resolution No. 2007-23 was adopted commending Willie Green on motion by Councilmember Trujillo, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Orach, Patino, Trujillo, Zacarías and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2007-23 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, RECOGNIZING AND COMMENDING WILLIE GREEN FOR HIS OUTSTANDING SERVICE TO THE RESIDENTS OF SANTA MARIA AS A MEMBER OF THE BLOCK GRANTS ADVISORY COMMITTEE.

Councilmember Trujillo presented the resolution to Willie Green.

COMMENDATION FOR JOHN EVERETT
Mayor Lavagnino read a resolution commending and honoring John Everett for four years of devoted service to the City and the community as a member of the Planning Commission.

Resolution No. 2007-24 was adopted commending John Everett on motion by Mayor Lavagnino, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Orach, Patino, Trujillo, Zacarías and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2007-24 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, COMMENDING SANTA MARIA PLANNING COMMISSIONER JOHN EVERETT FOR FOUR YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA.

Mayor Lavagnino presented the resolution to John Everett.

PROCLAMATION – MAKE THE WORLD A BETTER PLACE
Councilmember Zacarías read a proclamation declaring the week of March 11 - 17, 2007, as "Make The World A Better Place" in the City of Santa Maria and applauding the commitment the Girl Scouts has made to America's girls as they celebrate the 95th Anniversary of Girl Scouts of the USA. There was no one present to accept the proclamation.

PUBLIC COMMENT
Art Foster spoke regarding the "Cruzin for Life" activities planned for the last week in September as a fundraising event for the American Cancer Society and the Marian Cancer Center. He requested a proclamation from the City Council for the event.

Toru Miyoshi talked about notification of Santa Maria residents whenever another agency conducted a public hearing that affects the City of Santa Maria and especially the landfill. He asked that the City Council ensure that notification be given beyond the 300 foot radius required by law. He also talked about the revenue being generated from the NHIS program and asked how the money was being used.

City Manager Ness explained that it was discretionary revenue that was franchised to the General Fund after paying for the operations cost of the program. It was being used to finance 25 additional public safety officers – 16 Police Officers and 9 Fire Fighters added on a permanent basis in the 2002-04 budget. That would be an on-going cost.

Mr. Miyoshi also talked about the Landfill Closure Fund and what that money was being used for.

Mr. Ness explained that it was being used to close the landfill on a rolling-closure basis and would be needed to monitor the closed landfill for 30 years as required by the State.

Marty Mariscal talked about the quarterly financial reports and the financial information readily available to any member of the public on the City's web site.

CONSENT CALENDAR
Councilmember Patino requested Item 3E be pulled for comment. Councilmember Zacarías requested Items 3G and 3H be pulled for comment.

Item 3E – Workforce Housing Reward Grant Program Application
Councilmember Patino stated this was not a competitive grant process. Every jurisdiction that applied and qualified, would be funded. The funds could not be used for housing. Funds must be used for the construction, rehabilitation, or acquisition of capital assets that benefit the community such as neighborhood parks, bike paths, libraries, school facilities, play areas, community centers, police and/or fire stations, and traffic or infrastructure improvements.

Chris Gallas spoke in favor of the grant application and using the money for the new library. She talked about the importance of libraries for providing opportunities for self-education, life-long learning, and self-improvement. Libraries create a level playing field making a world of information available to anyone who seeks it.

Items 3G and 3H – Notice of Contract Completion for Atkinson Park Classrooms and Atkinson Park Classrooms Site Work
Councilmember Zacarías asked Director of Recreation and Parks to talk about what the classrooms were being used for.

Director of Recreation and Parks Posada explained that there are over 500 students attending classes at the Atkinson Park Classrooms. Allan Hancock College is offering computer labs, an English As a Second Language program, a garden class, and courses in digital photography. The next phase in the project of working with Allan Hancock College is to create a parent cooperative for childcare during the classes. The City would be helping to staff that as well as the College. They will also be doing some signage changes to make it more visible.

Consent Calendar Items A through I were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar are adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of February 20, 2007, were approved as submitted.

C. WARRANTS
Warrant Nos. 132865 to 133151 in the amount of $3,407,741.44 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 127959, 131792, 130181, and 132591 were canceled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. GRANT APPLICATION
Resolution No. 2007-25 was adopted approving the submittal of a grant application under the State Department of Housing & Community Development Workforce Housing Reward Grant Program.

Resolution No. 2007-25 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING APPLICATION FOR WORKFORCE HOUSING REWARD GRANT.

F. NOTICE OF COMPLETION
Council accepted as complete the improvements and authorized the recording of a Notice of Contract Completion for Fletcher Park, Phase II, Bid No. 2007/01.

G. NOTICE OF COMPLETION
Council accepted as complete the improvements and authorized the recording of a Notice of Contract Completion for Atkinson Park Classrooms (Phase I), Bid No. 2006/04.

H. NOTICE OF COMPLETION
Council accepted as complete the improvements and authorized the recording of a Notice of Contract Completion for Atkinson Park Classrooms Site Work (Phase II), Bid No. 2006/09.

I. GRANT DEED

Resolution No. 2007-26 was adopted approving a Grant Deed granting right-of-way to Caltrans for the Highway 101/Donovan Road North Bound Off-Ramp.

Resolution No. 2007-26 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A GRANT DEED TO CALTRANS FOR THE HWY 101/DONOVAN ROAD NORTH BOUND OFF RAMP.

PROPOSED ORDINANCES REPLACING CHAPTER 3-4, PURCHASING SYSTEM, AND MAKING MODIFICATIONS TO CHAPTER 8-16, PUBLIC PROJECTS, OF THE SANTA MARIA MUNICIPAL CODE.

Director of Administrative Services gave the staff report. The Department of Administrative Services has performed a comprehensive review of the City's purchasing methods, the Municipal Code sections that pertain to purchasing, and the City Administrative Memorandum (CAM) on purchasing procedures. As a result of this review, Chapter 3-4 Purchasing System of the Municipal Code was rewritten to reflect current purchasing practices and Chapter 8-16 Public Projects was modified to comply with established Public Contract Code provisions. The current language of Chapter 3-4 was written in the 1960s. Since that time, purchasing procedures have become more complex, subject to State rules and guidelines. In addition to naming a Purchasing Authority, setting forth powers and duties of that position, and allowing delegation of those duties, the proposed ordinance also requires that the Purchasing Authority prepare and implement a guideline of purchasing policies and procedures. Contracting and purchasing for the construction of "public projects" is different than the purchase of goods and services to operate City departments. In 1993, the City elected to follow the State Uniform Public Construction Cost Accounting Act (Act) for public projects by adopting Chapter 8-16 of the Municipal Code. Chapter 8-16 is proposed to be modified to remove a specific dollar amount and, instead, link the Chapter with limits listed in the Act. This will allow increases to informal bid limits consistent with State changes.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Zacarías stated she was very impressed with the readability of the document. She especially appreciated the flow charts. She said she wanted to emphasize the fact the City does look to local vendors to be participants with the City. She said she understood that for non-public-works projects, the City did not deal with the issue of prevailing wages.

Councilmember Trujillo commended Director Snodgrass and her staff for doing a very good job on the document. The systems that the City has in place are very well thought out. He said the City tries to keep local dollars local which was good business.

Ordinance No. 2007-02 amending Chapter 3-4 of the Santa Maria Municipal Code was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES:	Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Ordinance No. 2007-02 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTER 3-4 BY ADDING A NEW SECTION 3-4 OF THE SANTA MARIA MUNICIPAL CODE, RELATING TO PURCHASING SYSTEM.

Ordinance No. 2007-03 amending Chapter 8-16 of the Santa Maria Municipal Code was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2007-03 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING MODIFICATIONS TO SECTION 8-16 OF THE SANTA MARIA MUNICIPAL CODE RELATING TO PUBLIC PROJECTS.

APPOINTMENT TO PLANNING COMMISSION

Chief Deputy City Clerk Perez gave the staff report. The City Council will make one appointment to the Planning Commission to replace Commissioner Lawnae Hunter who recently submitted her resignation. The vacancy was advertised in the Santa Maria Times and posted as required by State law. The filing deadline for submitting applications was February 21, 2007. One application was received from Tom Lopez. A nomination to fill this vacancy will be made by Councilmember Trujillo. Appointment will be made by the Mayor with the City Council confirming the appointment. The new member of the Planning Commission will serve until January 31, 2009.

Councilmember Trujillo nominated Tom Lopez.

On motion by Mayor Lavagnino, seconded by Councilmember Zacarías, and carried unanimously, Tom Lopez was appointed to fill the unexpired term of Lawnae Hunter which will expire on January 31, 2009.

CITY MANAGER'S REPORT

City Manager Ness reported on items for the March 20, 2007, City Council meeting including three resolutions for outgoing Board, Commission and Committee members, Recreation and Parks Volunteer of the Month, three proclamations, a public hearing for a General Plan Amendment, Zone Change, Tentative Tract Map, and Planned Development Permit for the McClelland Mixed Use project, and an appointment to the All-America City Committee.

City Manager Ness asked the Chief of Police to provide the Council and the audience with a summary of the actions the Police Department is taking to address the recent rash of violent crimes in the City.

Police Chief Macagni stated there has been an increase in gang activity recently. He said he wanted to assure the Council and the public that the Police Department is doing everything possible to deal with it. They are coordinating with all agencies – San Luis Obispo and Santa Barbara Counties, other local law enforcement agencies, and the FBI, to try to deal with the serious emerging gang problem. The Police Department's Gang Unit was one of the best in the State. The Department is turning the heat up on these gang members, doing extra probation searches and parole searches, while staying within the boundaries of the law. The Department is going to aggressively go after these gang members to make sure they do not harm any innocent people in this community.

Councilmember Orach urged the public to participate if they see something that appears to be gang activity and notify the Police Department.

Police Chief Macagni stated it was very important that the community become involved. It is not just a Police problem, it is a community problem. The Police Department cannot do it alone. The Department's success has been due to the collaboration and cooperation of the people that they serve.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Trujillo stated this week the Girl Scouts were out selling cookies. This year if you buy cookies and don't want to take them home, the Girl Scouts will send them to the troops in Iraq.

Councilmember Trujillo announced that there would be a fundraiser for the new library on March 15th with Dr. Laura Schlessinger. She was appearing free of charge to help raise money for the library.

Councilmember Trujillo also announced that this year, 2007, was the "Great American Clean-Up" year. The entire Country is being asked to help clean up America. He asked the people of Santa Maria to help clean up Santa Maria.

Councilmember Patino announced that last Tuesday she attended the City Council meeting in Guadalupe to hear Tom Fayram's presentation on the levee. His presentation was geared specifically for Guadalupe and how the levee affects them.

Councilmember Patino announced that on Thursday, March 15th at 9:00 p.m. on HBO, there would be a presentation on addiction. She encouraged everyone to watch that. Fighting Back Santa Maria Valley would be showing it again and having a panel discussion and Town Hall Meeting.

Mayor Lavagnino announced that he, Assistant City Manager Haydon, and Director of Utilities Sweet went to Washington, D. C. on February 28th. They met with Congresswoman Capps. She told them the Santa Maria levee was her number one priority. They also met with Brian McKeon from Senator Boxer's office and Ryan Hunt from Senator Feinstein's office. He said he had directed the City Manager to come back to Council with all possibilities and alternatives should funding not be available. They also met regarding the Library and the Transit Center. The representatives were also very supportive of Library funding and the Transit Center. The City won't know until July or maybe October if funding will be forthcoming.

Councilmember Zacarías announced that she had been back east on vacation visiting her son in college. In her absence some wonderful work was commenced by individuals to address the issues of families being affected by the freeze. There are a large number of families in the community going without food and facing eviction simply from not being able to work in the fields. The group is appealing to the clergy of the community as well as Catholic Charities. She asked anyone who was able to contribute to contact Catholic Charities.

CLOSED SESSION

Council recessed to Closed Session at 7:32 p.m. for Conference with Labor Negotiator pursuant to Section 54957.6 of the Government Code; Agency representative: Assistant City Manager; Employee organization: Santa Maria Police Officers Association (SMPOA).

After the Closed Session, the following was announced:

Conference with Labor Negotiator: SMPOA - Direction to staff was given.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:12 p.m. by order of Mayor Lavagnino.

APPROVED

March 20, 2007
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria